

## Agricultural Marketing Service, USDA

## § 1217.12

### DEFINITIONS

#### § 1217.1 Act.

*Act* means the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7411-7425), and any amendments thereto.

#### § 1217.2 Blue Ribbon Commission or BRC.

*Blue Ribbon Commission* or *BRC* means the 21-member committee representing businesses that manufacture softwood lumber in the United States or import softwood lumber to the United States formed to pursue an industry research, promotion, and information program.

#### § 1217.3 Board or Softwood Lumber Board.

*Board* or *Softwood Lumber Board* means the administrative body established pursuant to § 1217.40, or such other name as recommended by the Board and approved by the Department.

#### § 1217.4 Board foot.

*Board foot* or *BF* means a unit of measurement of softwood lumber represented by a board 12-inches long, 12-inches wide, and 1-inch thick or its cubic equivalent. A board foot calculation for softwood lumber 1 inch or more in thickness is based on its nominal thickness and width and the actual length. Softwood lumber with a nominal thickness of less than 1 inch is calculated as 1 inch.

#### § 1217.5 Conflict of interest.

*Conflict of interest* means a situation in which a member or employee of the Board has a direct or indirect financial interest in a person who performs a service for, or enters into a contract with, the Board for anything of economic value.

#### § 1217.6 Customs or CBP.

*Customs* or *CBP* means Customs and Border Protection, an agency of the United States Department of Homeland Security.

#### § 1217.7 Department or USDA.

*Department* or *USDA* means the U.S. Department of Agriculture, or any officer or employee of the Department to

whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in the Secretary's stead.

#### § 1217.8 Domestic manufacturer.

*Domestic manufacturer* means any person who is a first handler and is engaged in the manufacturing, sale and shipment of softwood lumber in the United States during a fiscal period and who owns, or shares in the ownership and risk of loss of manufacturing of softwood lumber or a person who is engaged in the business of manufacturing, or causes to be manufactured, sold and shipped such softwood lumber in the United States beyond personal use. This term does not include any person who re-manufactures softwood lumber that has already been subject to assessment under this Order.

#### § 1217.9 Export.

*Export* means to manufacture and ship softwood lumber from within the United States to locations outside of the United States.

#### § 1217.10 Fiscal period or year.

*Fiscal period* or *year* means a calendar year from January 1 through December 31, or such other period as recommended by the Board and approved by the Secretary.

#### § 1217.11 Importer.

*Importer* means any person who imports softwood lumber from outside the United States for sale in the United States as a principal or as an agent, broker, or consignee of any person who manufactures softwood lumber outside the United States for sale in the United States, and who is listed in the import records as the importer of record for such softwood lumber.

#### § 1217.12 Information.

*Information* means activities or programs designed to disseminate the results of research, new and existing marketing programs, new and existing marketing strategies, new and existing uses and applications, and to enhance the image of softwood lumber and the forests from which it comes. These include: